

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

<b>Margaret Mazur, Pro Se</b>	)	<b>2:17-cv-00826-JFC</b>
<b>Plaintiff,</b>	)	
	)	<b>Judge Conti</b>
<b>v.</b>	)	
	)	
<b>Southwestern Veterans Center and</b>	)	<b>Filed: October 25, 2018</b>
<b>Dept. of Military and Veterans Affairs</b>	)	
<b>Defendants.</b>	)	<b>Electronically Filed</b>

**PLAINTIFF’S MOTION TO COMPEL COMPLETION OF DISCOVERY AND  
REQUEST PENALTY FOR PERJURY AGAINST JAMIE CUTHBERT**

Plaintiff moves the Court for relief for the following issues as follows:

**I. PRODUCTION OF DOCUMENT PROMISED BY JAMIE CUTHBERT IN  
DEPOSITIONS HELD MARCH 20, 2018 AND JUNE 28, 2018**

1. In the July 10, 2018 status conference the Court posed the question about any outstanding discovery issues.
2. The one item still outstanding was the production of the document where Plaintiff allegedly admitted she did not count the money at the bank.
3. In Jamie Cuthbert’s March 20, 2018 deposition under oath (Pg. 86), she insists Ms. Mazur didn’t count the money at the bank.
4. In Jamie Cuthbert’s June 28, 2018 deposition under oath (Pg. 87-89), she insists there is a document where Ms. Mazur stated she didn’t count the money at the bank.
5. Jamie Cuthbert was insistent that Ms. Mazur had stated that she did not count the money at the bank even after she was shown the PDC transcript that she typed where Ms. Mazur’s statement clearly states that she **did** count the money at the bank with the teller.

6. On September 11, 2018, the Court ordered that Ms. Cuthbert provide an affidavit regarding her statements under oath.
7. Jamie Cuthbert's statements under oath are clear and unambiguous and cannot be construed to mean anything different than what she stated under oath.
8. In her affidavit (**Exhibit 1 with Brief in Support**) she states at paragraph 2, "I was involved in the investigation that resulted in the suspension of Margaret Mazur on May 26, 2016."

## II. JAMIE CUTHBERT PERJURY

9. Instead of presenting truthful evidence to the Deciding Officials, Jamie Cuthbert fabricated two false statements that contributed greatly to Ms. Mazur being suspended without pay on the charge of theft as well as being denied UC benefits.
10. Her false and extremely harmful statements were accepted as truth by the Deciding Officials.
11. Instead of simply admitting to the Court that there was no document where Ms. Mazur stated that she did not count the money at the bank, Jamie Cuthbert attempts to change the issue to whether or not Ms. Mazur counted the money alone.
12. Whether or not Ms. Mazur counted the money alone is not the issue presented.
13. She signed the affidavit (**Exhibit 1 with Brief in Support**) subject to the penalties of 28 U.S.C. Section 1746 relating to unsworn declarations under penalty of perjury.
14. In addition to the affidavit where she acknowledges that she may be subject to criminal penalties, she made the above false statements in sworn testimony in two depositions under oath.

15. Ms. Cuthbert maintains Ms. Mazur's employment files which still show that Ms. Mazur was suspended without pay on the charge of theft.
16. The affidavit provided at **Exhibit 1** in no way complies with the Judge's Order of September 11, 2018.
17. Since Jamie Cuthbert cannot produce the document where she claims that Ms. Mazur stated she did not count the money at the bank, Ms. Mazur requests that Jamie Cuthbert be ordered by the Court to produce an affidavit stating that no such document exists.

### **CONCLUSION**

Ms. Mazur respectfully requests that Ms. Cuthbert be ordered to provide a sworn declaration/affidavit regarding whether she has now or ever has had possession of a statement by Ms. Mazur that she did not count the money at the bank. Additionally, since Ms. Cuthbert has stated clearly in (**Exhibit 1 with Brief in Support**) that she is aware of penalties of perjury; Ms. Mazur requests that Ms. Cuthbert be held accountable for knowingly providing false statements in depositions under oath and in her October 19, 2018 affidavit.

Respectfully submitted,

/s/ Margaret Mazur    October 25, 2018

**CERTIFICATE OF SERVICE**

I, Margaret Mazur, do hereby certify that I have this day served the foregoing **MOTION TO COMPEL COMPLETION OF DISCOVERY AND REQUEST FOR PERJURY CHARGE AGAINST JAMIE CUTHBERT** by electronic service to the following:

Scott Bradley  
sbradley@attorneygeneral.gov

/s/ Margaret Mazur

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Date: October 25, 2018